

SUPREME COURT & CONSULAR GAZETTE,

And Law Reporter for the Supreme & Provincial Courts of China & Japan

VOL. VI

SHANGHAI, SATURDAY, 20TH NOVEMBER, 1869.

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CONTENTS.

	Page.		Page.
LEADING ARTICLES.		Report of Meeting of Shanghai Municipal Council	305
The Transit Dues.	300	Report of Meeting of Ningpo Book Club.	307
The Chinese Classics.....	300	NEWS OF THE WEEK, ...	308
CASES IN H. M.'S SUPREME COURT.		REPRINTS.....	310
Summary and Police Cases.....		COMMERCIAL SUMMARY, &c., ...	310
Charge by the Chief Judge to the Jury Panel at Yokohama.....	301	SHIPPING, &c., ...	311
		QUOTATIONS, &c., ...	311

NOTIFICATIONS

H. B. M. Supreme Court.

IN HER BRITANNIC MAJESTY'S SUPREME
COURT FOR CHINA AND JAPAN.

COURT OF BANKRUPTCY.

THE BANKRUPTCY ACT, 1861

SHANGHAI, 18th November, 1869.

NOTICE is hereby given that a meeting of Creditors of the late bankrupt firm of JARVIE, THORBURN & Co., will be held before Charles Wycliffe Goodwin, Esq., Registrar in Bankruptcy, at H. B. M.'s Supreme Court at Shanghai, on Monday, the 29th day of November instant, at 11 o'clock in the forenoon, when the Creditors' Assignees will submit a statement of the whole estate of the said firm as then ascertained, of the property received and of the property outstanding, specifying the cause of its being so outstanding, and of all the receipts, and of all the payments thereon made, and any Creditor who has proved may attend and examine such statement and compare the receipts with the payments. And the meeting will declare by resolution whether any, and what part of the produce of the said estate (after making deductions for future contingencies) shall be divided amongst the creditors; and creditors who have not already proved their debts are to come prepared to prove the same, or they will be excluded the benefit of the said dividend, and all claims not then proved will be disallowed.

NOTICE.

MR. J. A. FRASER is authorized to sign the name of our Firm in Japan from this date.
AUGUSTINE HEARD & Co.
Yokohama, 27th October, 1869.

TZU ERH CHI.

COLLOQUIAL SERIES.

THE price of this Work is reduced from \$10 to \$7.50
Apply to

JAMES JEFFREY,
The Customs' Press.

Shanghai, 13th November, 1869.

MR. GEORGE WATSON COUTTS is admitted
a partner in our firm.

COUTTS & Co.

Shanghai, 1st May, 1869.

North German Consulate.

BEKANNTMACHUNG.

ÜBER das Vermögen der Firma MAERTENS, LATHAM & Co., ist der kaufmännische Concurs eröffnet und der Tag der Zahlungseinstellung auf den 12 April 1869 festgesetzt worden. Zum einstweiligen Verwalter der Masse ist Herr C. W. SIEGFRIED bestellt worden.

Allen, welche von den Gemeinschuldnern etwas an Geld, Papieren oder andern Sachen in Besitz oder Gewahrsam haben oder welche ihm etwas verschulden, wird aufgegeben nichts an dieselben zu verabfolgen oder zu zahlen, vielmehr von dem Besitz der Gegenstände bis zum 1ten December cr. einschliesslich dem Consulat oder dem Verwalter der Masse Anzeige zu machen und alles mit Vorbehalt ihrer etwaigen Rechte zur Concursmasse abzuliefern. Pfandinhaber und andere mit denselben gleichberechtigte Gläubiger des Gemeinschuldners haben von den in ihrem Besitz befindlichen Pfandstücken Anzeige zu machen.

Zugleich werden alle diejenigen, welche an die Masse Ansprüche als Concursgläubiger machen wollen aufgefordert, ihre Ansprüche, dieselben mögen bereits rechtshängig sein oder nicht, mit dem dafür verlangten Vorrecht bis 9ten December cr. einschliesslich beim Consulat schriftlich oder zu Protocoll anzumelden und zunächst zur Prüfung der sämtlichen innerhalb der gedachten Frist angemeldeten Forderungen, so wie nach Befinden zur Bestellung des definitiven Verwalters auf den 20ten December cr. im Bundes Consulat zu erscheinen. Nach Abhaltung des Termins wird geordnetfalls mit der Verhandlung über den Accord vorgefahren werden.

Zugleich wird noch eine Zweite Frist zur Anmeldung bis zum 3ten Februar 1870 einschliesslich festgesetzt und zur Prüfung aller innerhalb derselben nach Ablauf der ersten Frist angemeldeten Forderungen Termin auf den 1ten März 1870 anberaumt. Zum Erscheinen in diesem Termin werden die Gläubiger aufgefordert, welche ihre Forderungen innerhalb einer der Fristen anmelden werden.

Wer seine Anmeldung schriftlich einreicht, hat eine Abschrift derselben und ihrer Anlagen beizufügen.

Jeder Gläubiger, welcher ausserhalb China seinen Wohnsitz hat, muss bei der Anmeldung seiner Forderung einen am hiesigen Orte wohlhabenden Bevollmächtigten bestellen und zu den Acten anzeigen.

NORDDEUTSCHES BUNDES CONSULAT,

Shanghai, den 8ten November, 1869.

NOTICE.

THE Interest and responsibility of Mr. L. ORTMANN in our Firm ceased on the 16th October 1869; and Mr. CASAR KATZEN was admitted a partner therein on the 1st July last.

DIRCKS & Co.

Swatow, 18th September, 1869.

It is requested that only such communications as relate to Editorial matters be addressed to the Editor, and that they be sent not later than Friday

*Advertisements will be received till 10 a.m. on Saturday
No communications can be noticed unless accompanied by the name of the writer*

Supreme Court and Consular Gazette

SHANGHAI, NOVEMBER 20TH, 1869.

UNTIL the revised version of the new Treaty is published it will be manifestly premature to discuss in extenso the details. Enough is however publicly known to form the judgment that on the whole it is in advance of its predecessor, and that even in the point which has excited most opposition the Chinese Government has professed to be actuated by a desire to assimilate its revenue system to that of the civilized world. Politically speaking, then, the change of transit dues to a forced commutation payable at the port of entry has many advantages, and were it the spontaneous desire of the Chinese Government to effect this change in their method of collection it is difficult to see how the Minister could reasonably object. Policy no less than justice dictates that in all matters of administration it is best to leave the Chinese Government to choose its own means, provided that in the end no injury or injustice is done to foreign trade or foreign relations. The point of view in which the proposed change must be looked at is therefore in the first instance whether thereby greater burdens will be laid on our trade than it has hitherto had to bear, and, secondly, whether, while possessing the will to reform, the Chinese Government really has at hand the means by which alone reforms can be carried into executions. Viewed in the abstract transit dues on goods passing from one portion of a country to another are the most objectionable means of raising revenue, as they bear directly on the industry of the masses. Transit dues have, however, been established in China from time immemorial, and in fact are the chief source from which the revenues of the country are raised; under these circumstances, at the present moment it is difficult to see how their extinction is possible without a radical change in the government. But while it may be impossible to abolish them altogether, there is no doubt that their evils may be much ameliorated, and that under a revised system of collection their injurious influence may be reduced to a minimum. The possibility of this has been amply proved by the success attending the transit pass clauses of the Treaty of Tientsin in those provinces where they were once established. Though everywhere bitterly and obstinately opposed at first, in the end, and so soon as the Central Government arranged to hand over their proceeds to the provincial authorities, they were fairly accepted. The last notable instance which occurred of their breach proceeded, it may be remembered, from the action of the Central Government itself and not from the provincial mandarins. Tseng Kwo-fan's reply to Mr. Medhurst that he had no control over the collector at the Wei-kwan proved to be justified by the facts, and when this obnoxious officer was removed the goods certificated for transit readily found their way into the heart of Honan. In-

dependant, however, of their direct benefit, there was an indirect effect of scarcely less importance, and that was the influence their existence had in effecting a reduction on the ordinary transit rates. Although in no case did the amount of goods proceeding under transit pass come up to that of those uncertificated, it was none the less the case that their exemption affected all. In fact special arrangements were frequently made for the passage of foreign goods, the authorities knowing that in case of refusal passes would be taken out, and their chance of profit extinguished thereby. That this was a loss to the provincial revenues there is no doubt, but on other hand the fault lay with the collectors not with the system; for it must be remembered that in every case these barrier stations were literally farmed out, and it was expected that the incumbent would make the most out of the office. Had he not done so during his tenure his hope of a advancement hung upon but a slender thread. So universally was this the case that it would be of no avail for an officer who had served his term of office to place his claim for promotion on the fact that that he had refrained from taking advantage of his position. You have had the opportunity of enriching yourself, would be the response, why did you not take it? If you have not feathered your nest you have no claim on us to give you another chance. It is almost certain that it was in view of these facts that the change of making transit dues compulsory has been introduced, and did the Government possess the requisite powers there could, as we stated, be little objection. In this matter it is probable that the provincial authorities will work with the Central Government unless the latter should be tempted to take for itself the extra duty, but will either or both be willing or able to restrain the army of collectors who swarm at every barrier? So long as these revenues are merely farmed out as at present we must confess we see little prospect of amelioration, but if the Central Government proves itself not only willing but able to unite with those of the provinces in changing the system we shall be willing to acknowledge that not only the first but a very long step has been taken towards progress. Viewed commercially then the matter would resolve itself into a mere question of tariff. Were the duty found too heavy to admit foreign goods at remunerative rates it would not require a revision of the treaty to lower any special duty. Such is doubtless the optimist method of viewing the case, of which many well informed have, however, taken the contrary. The difficulty which has always hitherto existed in obtaining an alteration in the tariff when known to be pressing unfairly on any particular class of goods does not promise well for any amelioration in the future.

WRITERS in China on Chinese matters have of late years, since the publication of Dr. Legge's translations, boasted, or have seemed by implication to boast, of an acquaintance more or less profound with the *Chinese Classics*. But we have observed that, not to speak of the obvious indebtedness of all such writers to the existing translations, the Classics generally mean to them the Confucian records contained in Dr.

Legge's first volume. And no doubt the doctrine of the sage *par excellence* lie at the very root of all the philosophical systems of the empire. The authority of the great master is universally acknowledged, and those that dissent from his opinions or seek to modify them, do so in a manner suggestive rather than dogmatic, and always with an apparent sense of falling away from orthodoxy. That servile respect for authority which to us is almost inexplicable serves to recommend to the narrow and childish Chinese intelligence the vapid platitudes and obscure though shallow hints contained in the works of Confucius. The hold that these works have on China is in a great measure, if not altogether due to the pertinacity wherewith they claim for the Chinese absolute superiority over all other peoples, kindreds and tongues. The wisdom of China, the power of China, the polished refinement of China lie beyond the region of doubt so long as the sage's authority remains to enforce the claim, and the arrogance springing from ignorance and utterly defective education keeps up the sense of superiority, and thus sustains the sage's renown. The two blunders act and re-act upon one another, and therefore we are not far wrong if we look for the explanation of many Chinese problems in the over-rated writings of Confucius.

But it is right to remember that the *classics* properly so called do not include those works of Confucius with which we are most familiar. The Great Learning, the Invariable Mean, the Discourses, and Mencius form the "four books," and rank below the "five classics," to which Confucius contributed only one. Mencius therefore is entitled according to Chinese estimation to share the pedestal of the sage. But, as Dr. Legge informs us, many centuries elapsed before his writings were classed among the foundations of Chinese philosophy, even still he is "the inferior sage," and one of the strongest eulogiums or his influence and value pronounced by his admirers is that "owing to his words learners still revere Confucius. To a very great extent Confucianism is held as Mencius teaches it, coloured by his opinions and expounded according to his views. Judged by our standards Mencius is a greater philosopher than his master. The latter either possessed no insight or, at any rate, gave no insight into any single important mental or moral problem. But the former attacked the most recondite questions and expressed decided opinions upon them. Avoiding the error of those who held that man's nature is neither good nor bad, but may be bent and fashioned into the forms which we call virtue and vice, Mencius started with the doctrine that man's nature is essentially good. Reduced to its practical application this dogma asserts the existence of a conscience as evidenced in the feelings which prompt to what is good and condemn what is bad, and sets up a standard incomparably higher than could be erected by any moralist who should adopt the contrary doctrine. For according to Mencius all guilt is a falling away, instead of being a natural progress in the path assigned by nature or providence. Different theological schools may wrangle about original sin, but, to take the lowest ground, the period at which Mencius taught was one unfitted for nice and questionable doctrinal

points. Of course external influences have to be taken into consideration, and the impressions of education allowed for. These impressions and influences fully account for the actual state of morals as opposed to what it ought to be. But the existence and power of these sweep away all force from the argument that because moral evil constantly presents itself man's nature is constituted with a view to the cultivation and propagation of that evil. And the argument is carefully hedged round so as to shut out all illicit processes. There have been examples of perfection in the sages, and what man has been, man can be. The influences of faulty education therefore though powerful are not all powerful. We have to accept things as they are, but this is no reason why we should not reason on things as they might be. And here, as we conceive, is the ground upon which Mencius' fame must rest—that while expounding the ideal he never lost sight of the practical bearing of morals, and on the other hand, while treating of the actual he ever kept in view that original whereof it is the distorted copy.

CHARGE BY THE CHIEF JUDGE TO THE JURY PANEL OF H. M.'s. PROVINCIAL COURT AT YOKOHAMA.

(Delivered on the 30th October, 1869.)

It is customary for the Judges at home, when on circuit, to address the Grand Juries of the respective counties upon the state of the calendar presented to them. Here there is no Grand Jury and it is only when the Supreme Court is temporarily present in Japan that the services of the Common Jury panel can be called for. In England, the observations of the Judges are confined to the state of crime within the district and have no reference to civil cases. I cannot but think, however, that it is quite as important that a Judge should, if the occasion seems to call for it, observe on the general character of the litigation pending in his court, as on the character of the crimes it is his duty to punish. I shall therefore take this opportunity before leaving Yokohama to make such observations on the nature of the cases which have come before me as they seem to demand.

And first let me draw your attention generally to litigation, its consequences, and the true means of avoiding it, or at any rate diminishing its evil results.

There is no doubt that it is a great evil. In seems however to be almost a necessary one; men take different views of their rights and obligations, and a determination to regard any question that arises from one point of view only, is one of the most fertile causes of litigation. There are however many ways of avoiding litigation, if men would but take a more common sense view of their own interests as well as the interests of others. Generally speaking, a calm discussion of the point at issue between the parties will lead to one side or the other seeing that right and fairness demand concessions, if not confession of being in the wrong. Even if this mode of avoiding litigation is not successful there is another, namely, of agreeing to refer the subject matter in difference to the decision of an impartial third party, each side to be bound by his opinion. In mercantile affairs the decision of an experienced merchant is frequently of far more value than that of a professional judge; and mercantile men should undertake the office of referee, not for reward, but gratuitously as a duty which they owe to their brother merchants. Arbitration by more than one individual I object to; because it generally results in the parties each naming a friend, more for the purpose of protecting his interests and advocating his views, than with the object of getting an impartial decision. Moreover, when men act as arbitrators, they are apt not so much to strive to arrive at a common conclusion founded on a correct appreciation of the merits of the case submitted to them, as to endeavour to convince each other that

the hastily or preconceived opinion which each may have formed is the correct one; and failing success in this endeavour, they too frequently sacrifice right, principle and justice to what I may call a "splitting the difference" course, each making concessions for which, if called on, he could assign no reason or excuse, except that of coming to a conclusion and the result is dissatisfaction to both the parties interested. Moreover arbitrators have a curious fancy for imagining that by undertaking to settle a difference that has arisen between two of their neighbours, they have transformed themselves into a court of justice; a love of the judicial office seems to take possession of them, they assume powers which judges never dreamt of, express opinions on matters wholly irrelevant to the points at issue, and are for committing all persons who differ with them to all sorts of terrible punishments for that terrible offence contempt of Court. Now a single referee seldom falls into such mistakes; he has nobody to rub up his plumage, no one to back him in either an assumption of dignity or power, no one to fight with, and no one to conciliate; so he, generally, if he is at all a competent man, and not over nervous, comes to a correct and speedy conclusion.

I wish I could more heartily have recommended to you the settlement of your differences by reference to arbitration amongst yourselves or by the submission of any question in dispute between you—especially on subjects of mercantile importance—to a Committee of Arbitration dependent on, or emanating from, your Chamber of Commerce; but my later experience in these countries has taught me that, however, excellent such quasi Courts of Conciliation are in large towns, and where the communities are very large and wide-spread, the objections to any mode of procedure which entails the disclosure of general business arrangements to rivals in trade, or carries with it the possibility of the Arbitrators being influenced by prejudices in favour of, or against individuals or by motives of personal interest, are so great that, in small communities unofficial arbitrations, involving more than a reference to a single individual, are not likely to be largely availed of.

Until, then, some arrangement can be made for providing more immediate and direct judicial assistance to H. M.'s Consulates in Japan than at present exists, I cannot do better than remind you that you can, if you think proper, more largely avail yourselves of the assistance of the Judicial Officers of the Supreme Court at Shanghai than you have hitherto done. I do not mean by way of appeal from the decision of the Provincial Court, but by way of reference in the first instance. You can agree to refer any matters in difference between you to the sole and final arbitration of either or both of Her Majesty's judges in their private capacity, or sitting as Judges; taking care that your submission to such arbitration, whether it be private or public, be made a Rule either of this Provincial Court or of the Supreme Court. In order to facilitate this course I will settle and send over printed forms of ordinary agreements to refer, forms of submission, and also forms of Rules of Court, which will have the effect of giving to the award of arbitrators, when made, the force of a Judgment. The expense of such a proceeding will be comparatively slight. Another mode of obtaining a settlement of any questions between you is as follows:—you can go before the Provincial Court on a summons, under Sections 1 and 2 of the Rules of Procedure and agree to frame a case which shall be forwarded to the Supreme Court for decision without formal suit. The practical difficulty, however, which merchants experience in pursuing this course is, that they can seldom, if ever, agree on the question of law or of fact to be decided. Hence this mode of procedure has not been so largely availed of as it might have been, as it seems to require the assistance of professional men. By neither of these modes of reference are you debarred from employing professional men, but you may materially reduce your legal expenses by simply retaining counsel to argue your case before the Arbitrator, or in Court, (as the reference may be a private or a public one) on the papers you have mutually agreed to send up. But do one of two things—either agree to refer, or go into Court: do not throw your case into Court, and then agree to refer; for what earthly use is it to commence legal proceedings and carry them on to the eve of trial, thus incurring the expense of fees and costs, and then to

refer the questions at issue to arbitration? You have then to begin as it were, *de novo*—to arrange your terms of reference—to choose arbitrators and to pay them, and to pay over and above your Court fees and lawyers' charges, other Court fees and other charges.

I should now like to draw your attention to an important subject closely connected with mercantile pursuits. I refer to the matter of agency. The cases which have come before me show that no subject is, in its legal aspect, less understood. An idea seems to prevail that an agent has necessarily all the power and authority of his principal—that the latter is in all cases bound by his acts, and not only is little or no care taken to ascertain the extent or nature of the agents' authority, but a species of general reputation appears to suffice. Now the very first thing to do is, when dealing with an agent, to ascertain the nature and extent of his authority; if he declines to disclose this, either refuse to deal with him, or insist upon dealing with him as a principal, and then take the ordinary precautions which are necessary and common to all dealings. The case of the *Ouca* furnishes a pointed illustration of the folly and risk of engaging in transactions without first ascertaining whether the parties to them are in a position to do all they assume to do. Here is a ship sold by a firm as agents for the owner under a power which had expired before the sale took place: a very little enquiry would have shown that their agency had, *quoad* the authority to sell, ceased; and even supposing they had a right to consider themselves as still representing the owner and acting in accordance with his wishes, yet, inasmuch as the Act of Parliament regulating the sale and transfer of vessels prescribes formalities which they were not in a position to fulfil, they, in attempting to effect a sale, irregular as it was and void in law, undertook immense responsibility which might have resulted in serious pecuniary loss. The formal agency or power to sell the vessel had expired, no informal or implied agency, to be collected from a mass of correspondence could supply its place, the Act of Parliament being clear and positive as to how and in what manner vessels are to be sold. Yet in the face of this the firm was willing to, and actually did, give a bond in a large amount to produce a document which they had no control over, and which, as it turned out, they were unable to produce, and to incur the risk of a suit in Equity on the part of the purchaser, for the specific performance of a contract which, they must have known they had no power to perform, or an action at law at the same suit to recover heavy damages for the breach of contract. To neither of these suits would the firm in question have had any defence, nor to the bond which it was competent to the Consul to put in suit. And when, to the annoyances of litigation are added the costs, the expediency of exercising a little caution becomes self-evident.

Nor is the mischief confined to the agent; it extends equally and sometimes with even more fatal consequences to the party with whom he is dealing. In the case under consideration the purchaser not only might not have got the article he bought and paid for, but he might also have lost his purchase money. Curiously enough, the mischief of acting without authority arose several times in this single case. Disputes having arisen from absence of sufficient authority on the part of those who sold the vessel, it was determined to refer them to arbitration. An arbitration was accordingly agreed on and sanctioned by the Court. But by whom was the agreement to refer assented to. By an agent who had no authority to submit the questions between his principal and the other side! Hence a great deal of time was lost and considerable expense incurred, which the slightest enquiry as to the powers of the agent would have avoided. Nor is this all. The vice in the original proceedings seem to have run through the whole case, and cropped up at every turn, and may not improbably still crop up at every future step. The original suit was converted into an arbitration, which failed; then the substituted agent of the ship-owner was sued personally, and although he did not plead that he was only an agent, a portion of the decision was founded on the fact that, however liable his principal might be, he, the agent, personally, decidedly was not; and this third act in this drama of litigation fell dead upon the stage.

Another matter on which I should wish to touch has reference to what is called the 'Custom of the Port' or the 'Custom of the Trade.' More than once, in the course of the cases that I have been called on to decide my attention has been called to these so-styled customs.

I have never been able exactly to understand what is really meant by these terms, but witnesses have been called and I have been favoured with their views of the subject. I need hardly say that they have been generally contradictory. I have, however, heard enough and seen enough to feel satisfied that a great mistake exists as to the value of these so-called 'Customs,' and it seems to me advisable that I should recall to your recollection that 'Customs,' to be any of value, must be first 'reasonable'; secondly, clear and without doubt; thirdly, of universal application and universally admitted—that is to say, at least in the Port, and fourthly, that they should be notorious to all who can by any possibility be affected by them. I often hear it said that the Chamber of Commerce in this or the other Port has declared so-and-so, and this on matters affecting not only the interests of members of the Chambers, but of others not members, and who know nothing of the rules and regulations framed, who have never been consulted, but who are nevertheless to be held bound by them.

Again, I have been told that in certain trades, there are certain customs: to give an instance, "not to examine articles bought by sample" and thus it has been urged upon me that not being the 'custom,' the seller is held responsible until the purchaser, to the fourth or fifth generation as it were, thinks fit to examine the goods he has bought. This, if it is a 'custom,'—and I may here remark, it has never been proved to my satisfaction to be one—is decidedly a bad one; for it is against law, against reason and against what I am tempted to call the morality of trade, and must inevitably lead to litigation; and any conduct, any custom, which incites to, or is provocative of, litigation is as bad as bad can be. Do not think I intend to speak disrespectfully of mercantile usages or customs, but to entitle them to respect they must be reasonable, such, in short, as recommend themselves by their evident utility and importance to the mind of all persons engaged or interested in mercantile pursuits—they must also be generally or universally admitted and acted on;—any practical dissent from them, any evidence that shows that they are not universally admitted or acted on, is fatal to them. And, moreover, they cannot be proclaimed and acted on by one section of the commercial community which is to be benefited by their adoption, unless consented to by that other section whose interests they may, or are calculated to, affect.

A good deal of error seems to exist with reference to a Consul's duties, especially as regards that portion of them which are of a judicial character. It seems to be imagined that he is to do whatever he is asked to do. If some one wants a ship stopped, a man held to bail, or to be prevented leaving the port, or a cheque or bill not to be paid, the Consul is expected in the first case to detain the ship's papers, in the second, to lay an embargo on the liberty of the subject, in the third to send round his compliments to the manager of the bank or merchant, and request or order him not to pay the bill. Perhaps the formality of an affidavit, in which nothing generally of importance is sworn to, is gone through; and if these requests are not immediately attended to, the applicant thinks himself very ill used. I have been here now about two months, and in that short time I have been asked to detain two ships, both of them on the very eve of leaving the harbour with their cargoes on board—to stop three persons from leaving the port, on the ground that they owed money to some one who up to the last moment had never thought of suing for the amounts,—and three times have I been asked to order Managers of Banks not to pay bills that had been accepted. If I had acceded to these requests I should have been guilty of a most improper use of my authority and of a great abuse of my judicial power. To the ship owners, charterers, or shippers, I might have done grievous wrong. To the reputation and credit of the individuals I was asked to hold to bail, I might have done irreparable injury, and if the Managers of the Banks at my request had yielded and not paid bills, they might have found themselves exposed to actions for damages, besides the certainty of being severely reprimanded by their governing bodies at home. I have no doubt that I was thought very obstructive, but people who make such demands and are very sore at their not being immediately complied with, should recollect that altho' they may be to-day in the position,—to use a Scotch term, of "pursuers," they may be to-morrow in that of the "pursued," and then I imagine their notion of what a

Consul's duty is, would be materially altered. And how stood the cases I refer to? A very little inquiry into the merits of one of the ship cases showed conclusively that neither the ship nor her owners had incurred the least liability; and in the other, after a little conversation, no one was more clearly convinced than the applicant himself, that so far from the captain being to blame or the ship liable, it was no one but the consignee himself, whose battle my applicant was so ready to take up, and on whose behalf he was ready to stop the ship, sue the Captain, and put every one connected with him to very considerable inconvenience. As regards the cases of applications to hold to bail, all the three individuals supposed to be, to use a common phrase, on the eve of bolting or levanting, are still here, and for all I know to the contrary, have never had the slightest intention of leaving. With reference to the bill cases, I don't think much damage would have followed, because I think the Bank Managers are far too acute and alive to the interests of the establishments they preside over to have paid much attention to my requests, and it they had been inclined to do so, or had my requests been put in the shape of orders, I should have been politely warned that whatever they did, they did on my personal responsibility.

But there is another little matter connected with the occasional apparent disinclination of a Consul to do all is asked, and in the exact mode in which the request is made, which it may be just as well to mention, and just as well to bear in mind; and that is—not only does a certain responsibility attach to his actions, but even graver and more important, because capable of pecuniary calculation, attaches to those who set his power in motion. If, in each of the cases I have mentioned, serious injury had resulted from my granting the applications made to me, those who suffered might have recovered damages from the applicants, and juries as well as judges are apt to visit heavily conduct which heedlessly imperils a man's character and reputation or the success of a commercial venture.

I do not mean to say that prompt, decided action is not very often necessary to prevent great losses, or to bring an offender to justice, but as decision implies forethought and consequent responsibility the greatest caution should be exercised and the soundest discretion employed, before extraordinary or unusually energetic measures are resorted to. There is nothing so annoying as the feeling of being overreached—of having been deceived or imposed on, and in the first excitement men are apt to think more of gratifying their anger and revenge, than of the consequences which may follow ill-considered measures of retaliation or punishment, and a Consul often does a greater service in refusing a hasty and ill-judged request, than he would do in granting it. Moreover the Consul must hold the scales equally; he is not an advocate employed to act for one of the parties to a misunderstanding or a quarrel; he has no more to act on the impulse of a moment to please one man than he has to please another: he is a judge to decide fairly upon them, and every act that he does should be done deliberately and only after he has had ample time afforded him to ascertain that he is acting within the authority confided to him, within the law and the rules of practice laid down for his guidance, and in conformity with fairness and justice. Should he act, he should generally insist on all applications being reduced to writing, and that the fullest information, and when necessary, on oath, be given him. A matter looks very different on paper to what it does when it comes pouring forth in a flood of words from the mouth of a man who feels himself very much aggrieved, and is himself convinced that he, and no one else, is in the right.

This brings me to the consideration of another matter to which it may be as well to direct your attention, as it will materially assist you in effectually prosecuting your claims or resisting those brought against you, especially when you have no professional assistance. I was much struck the other day when trying a case, with the completeness with which one of the parties to it brought it under my notice. He had reduced his statement to writing. He had very fairly stated the facts on which he relied, the evidence by which he sought to prove those facts, and then the arguments which he thought best calculated to induce the Court to agree with the view that he took of the case. The gentleman did not pretend to be a lawyer, but I must say the statement was an

admirable one—the facts were well arranged; there was no hurry; the written documents on which he relied were quoted by him in their order, instead of the confused way in which they are generally thrown at the bench, and when he called on his witnesses the questions which he had prepared, although technically, perhaps, somewhat leading in the mode in which they were put, were to the point; thus preventing much waste of time.

It was from no want of care or forethought or incompleteness that the gentleman I allude to did not win his case; he deserved to do so if it was only for the ability and skill he showed in placing it before me. Now I wish when non-professional men conduct their own cases they would follow this example. In the first place, there are very few men, even in the profession, who can put a case, or rather the facts of a case *vera voce* before a Court; they generally ramble on, get confused, forget half they have to say, leave out the most important points, and then, thoroughly dissatisfied with themselves, they get angry with their opponents, angry with the court, and generally end by making their case wholly unintelligible, not only to themselves but to every one else. Now when a man sits down to write a statement, he does so usually at his ease; he marshals his facts quietly and in the order that they naturally present themselves to his mind; he further fortifies them by reference to his correspondence, from which he quotes “extracts” bearing on his own point of view and, being thoroughly master of his own case from his own point of view, he is able to support it by argument, and not being disturbed by remarks or interruptions, he makes out a perfectly intelligible statement. He comes into Court fully prepared, he neither excites himself nor his opponent, and he saves an enormous amount of valuable time, and secures by this means the best chance of his case being fully and fairly heard and determined on its real merits. If he loses he has the satisfaction at any rate of feeling that the loss is not owing to any nervousness, forgetfulness, or from having been put out or said what he did not mean to say.

But there is another advantage in putting into writing year case, especially if you do so at the earliest possible stage of litigation, if when in the position of plaintiff, you do it even before you commence legal proceedings. An old solicitor in very large practice and of great experience, assured me that if clients would only show their sense by preparing their own cases in writing for a legal opinion and not pour out their griefs and injuries by word of mouth into a solicitor's care there would be comparatively very little litigation, as half of them would find out before he had finished writing out his statement, how bad his case was and how little chance he had of success. In talking and explaining himself *vice voce*, a man gets excited; he exaggerates facts, often calls on his imagination, abuses his opponent to his heart's content behind his back, and seems to think that he has on other object but to convince his lawyer that he has been very much wronged or ill used. He seems to forget that he has come to his legal adviser for an opinion which, if not based on a true knowledge of facts, and not on imagination, exaggeration or misrepresentation, is absolutely worthless and certain to lead to expensive disappointment. To hear many clients talk, you would fancy them advocates and the lawyer a judge instead of a confidential adviser. Now a man seldom romances when he is at his desk, surrounded by his documents and without an admiring audience or a sympathizing, ill judging friend. The mere fatigue of writing is to a certain extent a safe-guard against exaggeration or invention. He reads and re-reads what he has written, corrects and alters, and, in nine cases out of ten, with the characters and words before him in black and white, he seldom tries to, or succeeds in deceiving himself; the consequence is, that, before he has finished he comes to a pretty correct conclusion as to whether the case is worth fighting.

Some misapprehension seems to exist as to what is termed “standing on one's rights.” To explain more nearly what I mean by this common expression I will give you an instance. A man buys goods; well, the goods do not come up either in quantity or quality to the representation, muster or guarantee. The man who “stands on his rights” does nothing; if the goods are perishable he lets them perish; if they are goods easily affected by a fluctuating, delicate or falling market he takes no care to sell them at the best price. In fact he

acts as he terms it, so as to wash his hands of all responsibility; he feels he is in the right, that he will get damages as soon as the case gets into Court, and he does not care a straw what are the consequences to the man with whom he has been dealing, and who may, quite as likely as not, be as innocent as he himself is of any intention to defraud. I confess that when a man comes into Court before me, having acted in this way, I conceive a very decided distaste for him, and if I can make out that his conduct, his “standing on his rights,” or his disregard of the interests of others has caused those others any damage, I take very good care in awarding him the damage that others may have caused him, and which the law may be bound to award to him, to make a commensurate deduction in respect of which he may have caused them. Under all circumstances men are bound to do the best they can for others as well as for themselves, even when others are causing them damage. Loss, no matter on which side it falls in the first instance, and whether caused willfully or undesignedly, is not to be voluntarily increased, and the best must be done, as far as is practicable, to redeem it or, at any rate, to prevent its increase. Notice, as early as possible, should always be given of the error, mistake or wrong, and of what is intended to be done. In cases where a contract is conceived to be broken, if it affects goods either in quantity or description, examination should be invited and every care should be taken to make as apparent and clear as possible, the difference or wrong complained of. A claimant then comes into Court clean-handed; he has done all he could do, not only in his own interests, but also in the interests of the individual of whom he complains. In some cases however it may be hazardous to act quite alone; there may be doubts as to the rights or merits of the case. It may be, and generally is necessary to verify facts and independent parties should be called in to assist in so doing. Both parties to a difference may each conscientiously believe himself right in the view he takes, and both should not take up a position of hostility, each bent on increasing the loss which may result to one of them, but agree, pending the reference to a competent tribunal, to do the best they can in the mean-time. Thus, for instance, agree to sell the goods in the best market offering, or in the case of a ship use it to the best advantage; depositing either the proceeds of freight or charter in some bank at interest, or in the hands of some person in whom each has confidence, and this all without prejudice to the rights of either. If this conduct was more frequently adopted, litigation would not be so ruinous, losses so heavy nor so much ill feeling and personal rancour be excited and exhibited. I always take matters of this kind into my consideration when called upon to decide a case, and when I find that one of two parties has shown any disinclination to act in concert with his opponent to prevent an additional loss accruing or continuing, I have always given due weight to what really amounts to misconduct. So also in compromises; there is never any objection to the offer of a compromise or of an arrangement; it can always be made “without prejudice;” it then involves no concession of a right or of an opinion, but simply evidences an honest desire to avoid litigation even at the cost of a sacrifice, and always operates in favour of the party making it, in the sight of either a jury or a judge. I remember, when I was a boy, there were several streets of windowless, rat-infested houses in London, uninhabited and going to rack and ruin; these were generally supposed to be in chancery; in fact they were only so many evidences of people standing on their so called rights; now such shameful sights are seldom if ever seen; men have grown wiser, and more thoughtful, and the law, too, has become sensibly milder and more equitable, and however much men may occasionally wish obstinately to stand on “their rights” to their own ruin or the ruin of others, they are not allowed to heap loss on loss to satisfy their revenge or their idiotic folly, and if they cannot be persuaded to act by each other rightly, the courts of law and equity step in and appoint persons to prevent a wanton waste of capital and an indecent disregard of gifts which were given men to use and profit by and not to abandon to misuse and ruin.

Again, there are cases when to pursue a strict legal right is to commit an injustice or a wrong; this may appear to be a contradiction in terms, but it is nevertheless true. There are many cases in which men should forego their legal rights—and when not to forego them evidence a sad lack of generosity. Unavoidable misfortune—the errors of others—the mistakes even

of Judges and Juries, may place men perfectly innocent of any misconduct in positions of the greatest embarrassment. To give an instance, a Ship, from no fault of its master or crew, was so injured by another ship fouling her, as to prevent her Captain from carrying out a Charter Party. The Captain did all he could to prove that his inability to perform his contract arose from no fault of his. He brought an action in a Court of competent jurisdiction and was cast—many persons think improperly. His Charterer endeavoured to force him to perform an impossibility or to pay damages on account of his inability. Fortunately for the Captain, the view that I took of the Law, and possibly many people thought I was wrong, exonerated him; but if even the law was not as I laid it down, I think it would have been very hard to have insisted on a bare legal right, if it had been one, in such a case. The fact is that in business, as in every other pursuit, men must give and take, it will not do always to stand upon "strict rights," we must do as we would wish to be done by.

From cases involving rights, to those involving wrongs, the transition is easy. It is interesting to observe how easily things, perfectly innocent in themselves, become the source of wrong and of much consequent unhappiness and self-abasement. The very earnestness which Englishmen throw into their pursuits whether of business or pleasure, is not unfrequently the cause of much folly if not occasionally of conduct which would bear a harsher name. Amusements should never take the place, or be allowed to assume the importance of business, still less should they be converted into dissipation or be made an excuse for license. To give an instance, racing is a perfectly harmless amusement in itself, there is not much harm in a man backing his opinion of the merits of any particular horse or stable, by one or more insignificant bets, but racing becomes a public nuisance if men are to sacrifice their business to it, their prospects in life, and only that but their good name and reputation. If a man bets in such a way or to such an amount that it becomes of importance to him whether he wins or loses, he has imported into an amusement a vicious element which deprives it of all its innocence. If he bets, perilling his own capital he is a fool, but if he perils the money of others entrusted to his care or over which he has control, he is dishonoured. I should regret to see any wholesome manly exercise or pursuit fall into decay, but the thinking portion of the community will not support such amusements if they are allowed to take the place of more important occupations, or to be made a peg whereon to hang excuses for gambling. Race lotteries are all very well in their way, but we have had more than one painful instance of the folly they lead to that should not be thrown away.

I cannot close these few observations which I have had occasion to make on the nature of the cases that have fallen under my notice, and on the course of litigation in this Provincial Court, without stepping perhaps a little out of the track I had laid down, and calling your attention to the state of this settlement. It concerns all foreigners and therefore Englishmen as well as the citizens of other countries. From your numbers, however, and the magnitude of the commercial interests you represent, you may exercise a useful influence, at any rate, it is your interest and your duty to try and remedy a state of things vitally affecting your social relations, your health, and your credit. It is not my intention to express an opinion of the form of government most suited to a community of foreigners living in a country like Japan—any form of government is better than none; as Pope says—

"For forms of Government let fools contest,
That which is best administered, is best"

But there must be some form. As far as I have been able to discover during the short time I have been here, the Government of this community, if it can be called one, is one of stagnation, of passive obstruction, and of individual and official negativity. There is an amount of loose immorality, of a careless disregard of cleanliness and health in Yokohama absolutely appalling. No doubt the cause of this may be traced to the difficulty of conjoint action, in words to the difficulty of inducing a number of people of different nationalities, bound by no common tie of allegiance, to act together or to determine on any one thing, or in pursuing any one course for the public good—but if this difficulty, grown as it has done here to a positive evil, is

not met resolutely and without delay, it requires no gift of prophecy to foretell what must be the inevitable result.

It must be borne in mind that government has other objects than the mere setting up of one set of men to rule over another set. It has some other object than the mere preservation of life and property; other objects than those of mere police, although it is difficult to overrate the importance of these last. One of the most startling evils in this settlement, and in itself almost sufficient to render every government until a limit is put to it, almost impossible, is the astounding number of low-class hotels or boarding houses and grogshops, and the adulteration of the liquors sold in them. The excuse that they are necessary evils where there are soldiers and sailors is ridiculous as well as monstrous. At least two-thirds of them ought to be put down at once and at any cost, and the selling any intoxicating drinks by natives put an end to. The scenes that I have witnessed in the back parts of this settlement and in the lanes and valleys in the immediate neighbourhood of the Bluff are a disgrace to any civilized community; at every step public and private decency is outraged. Whoever is to blame for the origin of this evil has incurred a terrible responsibility, not greater, however, than that which those are daily incurring who allow it to continue. I am justified in saying this because on me, and on those who act judicially under me weighs the responsibility of punishing crime, as well as of endeavouring to check it, at least in so far as regards British subjects, and it is hopeless for us to perform our duty so long as such plague spots are allowed to exist. If we cannot put down foreign grogshops let us at least do our best to diminish the number of our own: if we cannot establish a nominal system of inspection over the liquors sold in them, let us at least actively search out and rigorously punish those of our countrymen who are guilty of this heinous offence; but I am sanguine that if this foreign commercial community, without distinction of nationality, would set itself heartily to the task, it would, very soon, obtain the sanction and assistance of those who have the power to put a stop to evils of such fearful magnitude. It is not free trade in legitimate commerce that is to be put down, but literally free trade in crime. I feel certain that the naval and military authorities will do their best to aid the exertions of the public, and that the Consuls will readily do their best to assist in the check of an evil which so fatally affects the mercantile marine, and the Japanese Government must follow the lead given them.

Let the commencement of conjoint action take this direction. It is one that interests all classes and all nationalities, and the success which I am certain must attend it will best demonstrate its value. Measures of police and of public health will then naturally follow and instead of disunion there will be good Government.

I have only incidentally touched upon some of the leading subjects that have engaged my attention during my stay here. I need hardly tell you with what interest I have regarded them. I do not desire to flatter myself that anything I have said has not frequently occurred with more or less force to all of you. There can be no novelty in such subjects, neither should there be: my purpose will, however be answered if what I have said has the effect of inducing you to pay some attention to matters which, apparently trivial in themselves are, nevertheless, of great practical importance to the well-being of both communities and individuals.

MUNICIPAL COUNCIL OF SHANGHAI

COUNCIL ROOM,
SHANGHAI, 4th November, 1869.

Present. { E. CUNNINGHAM, Esq., Chairman.
H. HOPPIUS, Esq.
M. S. GUBBAY, Esq.
J. I. MILLER, Esq.

ALEX. J. JOHNSTON, Secretary.

The summons calling the meeting was read.
The minutes of the last meeting were confirmed and signed.

The CHAIRMAN said that before proceeding to current business it would be well to confirm by the necessary vote the action determined upon with regard to the purchase of Mr. Thorne's land for Municipal pur-

poses. After the full discussion which had taken place among the members of the Council it was only necessary to recapitulate briefly the reasons which had led the Council to take a step not authorized by the Land Renters. The ground in question was the best situated piece in the settlement for Municipal offices and Buildings, both because of its central position and its forming part of the Municipal plot on which the present police buildings are. Being without buildings there would be no loss on useless structures as on any other lot with equal advantages as to a central position. Finally it was now for the first time offered at its fair value. The opportunity passed, the lot would be lost to the public, as Mr. Thorne's agent was on the point of disposing of it to others. There was very little doubt that the Land Renters, in view of the unsuitable and inconvenient buildings in which the public business is now done, would determine within a short period to erect Municipal offices covering all the public needs, and were this piece of land lost no other could be had except at a cost probably equal to the cost of this and all the buildings to be erected put together. In short there can be but one opinion upon the desirability of acquiring the ground. The only question was, as to how it could be done in face of the refusal of the Land Renters to give the Council the power to make such purchases. It seemed it could only be by assuming the pecuniary responsibility, and this the Council had determined to do.

The ground well therefore be purchased under the following resolution, and if the proceeding meets with the disapproval of the Land Renters they can repudiate it at the first General Meeting. It was moved, seconded, and Resolved:—

"That the offer to the Council of the plot of 6 mow 1 fun, adjoining the Police Station, by the agent of Mr. A. Thorne at £5,000 be accepted, the members of the Council becoming individually responsible for the amount by agreeing to take over the purchase in case it is disallowed by the Land Renters at the next General or Extraordinary Meeting."

The following Report from the Watch Committee was read and adopted.

REPORT OF THE WATCH COMMITTEE.

Your Committee have but little to report beyond general progress.

Beggars.—Your Committee suggest that the Consular Body be requested to move H.E. the Taotai to establish a refuge for Beggars to go to during the cold weather, and to the maintenance of which the Municipality would contribute.

Brothels.—The medical inspection continues, patients are received at the "Home."

Chinese Livery Stables.—All these establishments have been licensed, the animals kept for hire being first inspected.

Census.—Your Committee have addressed the French Municipal Council on the subject of taking a census before or after Chinese new year.

Fire Department.—The following letter dated 3rd inst., from the chief Engineer, proposing certain amendments to the Constitution of the Department was read.

EDWARD CUNNINGHAM, Esq.

Chairman, Municipal Council.

Sir,—I have the honor to inform you that at a general meeting of the Shanghai Fire Department held on the 1st inst., the following amendments to our constitution rendered necessary by the admission of the French Engine Company into the Shanghai Fire Department were unanimously agreed to.

To be added to Art IV of the present constitution as it now stands.

"The Municipal Council of the French Concession to have the right of nominating candidates for the office of District Engineer for District No. 3, to be voted for by members of the Department according to Art V., and all elections of Staff Officers to be subject to the approval of both Municipal Councils."

Art IX. The plural to take the place of singular in the word Council.

Art XIX. The plural to take the place of singular in the word Council.

I shall await the approval of the Council before calling for an election for District Engineer for District No. 3.

I have the honour to be,

Sir, Your obedient Servant,

C. P. BLETHEN,

Chief Engineer S. F. D.

Shanghai, November 3rd, 1869.

Inflammable Materials.—Your Committee have been in the habit recently of calling the attention of importers of inflammable materials to clause IX of the present land regulations and protesting against storing such on their premises or at public wharves; notwithstanding such protest

the practice is continued. Your Committee suggest that you now decide upon some particular spot where it shall be compulsory upon importers to store inflammable and explosive materials. [Note.—The arrangement of details were left in the hands of the Watch Committee, who will give due notice of intended changes.]

Markets, Slaughter Houses, &c.—The Inspector reports in regard to these as follows:—

"That during the past month there has been a general improvement in the meat market. The fish market has been well supplied with a great variety of fish, a few only of which find favour with foreign buyers. Game.—The markets opened on the 1st of the past month with a very fair supply, and moderate prices ruled until the third week when prices went up fully three times the usual rate. That this was not the result of an extreme demand and a scant supply was evidenced by the fact that as fast as one lot of game was disposed of another batch was at once forthcoming." "The cattle sheds are full of fine healthy cattle, many in very prime condition. Up to the present time there have been no symptoms of the disease that was so fatal to both native and foreign cattle in the corresponding period of last year. My visits to the sheds have been at varied and uncertain times that had any disease existed it could not have escaped my notice."

Nuisance Department. The Inspector states that the roads, alleys &c. of both settlements have been swept daily, Sundays excepted, during the past month, and that his branch is working satisfactorily.

Wheelbarrows. Your Committee have received a petition from the headmen of the wheelbarrow Hongs, the petitioners proposing making certain alterations in the construction of their barrows to which they ask the Council's approval. Your Committee reply that the petitioners are (as they have always been) at liberty to adopt any form of construction they please so long as the barrows do not make a creaking noise.

There has been some criticism in the papers with regard to the action of the Council with the barrows, but the Committee think it ill placed. The nuisance was acknowledged to be intolerable; every pains were taken to inform the barrow men of the measures intended to stop it, and it was only when all other means failed that the creaking machines were arrested and impounded, a measure that finally stopped the annoyance.

It was moved, seconded and Resolved:—"That the amendments at the general meeting of the Shanghai Fire Department held on the 1st instant to the constitution be approved and passed."

The following Report from the Public Works Committee was read and adopted.

REPORT OF THE PUBLIC WORKS COMMITTEE.

Your Committee have the pleasure to subjoin a report of their proceedings during the past month.

Bridges.—Hongque Bridge.—A tender for the execution of such repairs as this structure is likely to need for a period of two years has been accepted. An iron bridge will be ordered from home to replace the present one. The Bridges on the Western and North Well Roads have been repaired.

Buildings.—Central Police Station.—The painting and varnishing of this building is still in hand. The yards will be drained and repaired.

Bunding.—Your Committee are in communication with the owner of the piece of bunding south of the Hongque creek bridge as to its condition. The bunding west of Will's bridge on the Hongque side has been completed.

The Cemeteries.—are in good condition. A supply of seeds for them has been obtained from England.

Drainage.—Your Committee recommend the tenders of Zung-Zing-ang (陳靜安) for the re-construction of the main sewer in the Fohkien Road and the formation of one in the Taiping and Keecheong Roads.

Your Committee seeing no prospect of obtaining a supply of earthen drain pipes from the neighbourhood of Nanking, propose ordering a supply (under limits) of earthen drain pipes from England. The brick drains under the Gateways of the South well Road have been completed. Box drains have been placed in the North Well Road as necessary.

Firewells.—The construction of a firewell in the Ningpo road is being proceeded with.

Landing accommodation.—Messrs S. C. Farnham & Co. report having completed hung pontoons at the ends of the Peking, Nanking, Kiukiang, Hankow, Foochow and Canton roads and in front of the P. & O. Gate. All the Pontoons fixed were opened for use on the 30th ultimo. Mud filling at the back of certain of the new Jetties is being proceeded with.

Lighting.—The gas lamps &c. in both settlements have been painted.

Roads.—The roads of both settlements have been repaired, levelled, metalled, sanded, and rolled where necessary. The South Yunan road has been bricked. The new Seward road has been coated with granite chips. The South Well road is to be raised so that it will not be flooded at high-

idea. The subject of the projected road along the River bank to Woosung still claims the attention of your Committee. Your Committee have granted Messrs. Olyphant & Co. permission upon certain conditions to place a tramway across the Broadway.

Kerr Stone, &c.—is being laid in the Broadway.

Cess pools have been cleansed when necessary.

Shanghai Public Garden.—The dwarf wall with iron railings at the N. W. angle is being proceeded with; it has been found necessary to increase its length beyond what was specified in the contract. Repairs have been effected to the slope.

The Urinals—have been painted.

The following Report from the Finance, Rate and Appeal Committee was read and adopted.

REPORT OF THE FINANCE, RATE & APPEAL COMMITTEE.

Your Committee have pleasure in stating that the Taxes, Rates, Dues &c. continue to come in promptly, and that the financial condition of the Municipality is satisfactory.

Re-assessment of Land.—Your Committee have received a letter from Mr. Kingsmill in regard to the land plans, stating that with some few exceptions all the lots within the limits of the English Settlement have been defined upon the 50 feet survey. Your Committee suggest that an early meeting of the assessment committee be convened in order that the re-assessment may be proceeded with at once.

Land Tax.—Your Committee would be glad to learn if the Land Tax for the current half year—October 1869 to March 1870—is to be collected on the present assessment. [Note—Decided that the collection should be proceeded with at once on the present assessment.]

Local Post Office.—The Local Postmaster reports as follows.—

“The working of this establishment has been in every way satisfactory.

Amalgamation.—By the Agreement of 25th June last, the amalgamation of this office with the British Post Office was renewed on terms more advantageous to the Community.”

Nuisance Rate.—A claim was made for a refund of nuisance rate—upon consideration of the circumstances your Committee cannot recommend your entertaining it.

Soochow Creek Bridge.—A formal memo. of agreement is being prepared.

Appropriations.—It was moved, seconded and Resolved:—

“That in addition to minor appropriations for current works &c. the sum of Five thousand Pounds (£5,000) sterling be devoted to the purchase of a plot of ground from Mr. Thorne.”

NINGPO BOOK CLUB.

On the evening of Wednesday the 9th instant, a Lecture upon Electricity was delivered to the members of the above institution, by J. D. BISHOP, Esq.; H. M. Consul, W. H. FITTICK, Esq., in the chair.

The Lecturer stated that the shortness of the time at his disposal would not permit him to enter at any length on the theory of the Electric Telegraph, neither had he the means or appliances to illustrate his subject as fully as he could wish, and this being the case he begged his audience to cast aside that grave like silence which characterizes the lecture room, and if he did not make himself clear to all present, he would be happy to answer any questions and explain the working of any instrument, when his lecture was concluded.

Mr. Bishop avoided all technical terms and, by the aid of diagrams affixed to the wall facing his audience, made himself clearly understood by all present. After going through a few of the preliminaries necessary to make his subject understood, he went at once to the practical part of his lecture. The great difficulty, the lecturer told his audience, that Engineers had with Electricity, was to prevent it from “having its own way;” that is to return to mother earth. To use his own words “Electric nature is something like human nature, likes to do as it pleases and will if it can; and like many a living being would rather return home by a short cut, than go ahead and do a good act in the right place.”

“One great trouble with us Engineers is to prevent electricity from moving into earth, and all the poles, insulators, gutta percha tubing, silk, and India rubber tubing which we employ, are only to keep it from earth, for it will assuredly take the shortest cut it can to arrive home.”

The lecturer after showing up the defects of the old needle instrument proceeded to initiate his audience in the use of the admirable Morse instrument, which will before long monopolize the old system. He said of the Morse instrument, “It is generally believed that

Professor Morse of America invented this instrument, or rather discovered the law upon which its construction depends. This is not the case, I believe Professor Morse himself is one of the very few men in America who denies it. The fact that a current traversing a conductor, surrounding a piece of soft iron, renders it intensely magnetic, was discovered also in 1819 by Sturgeon. Professor Morse invented the beautiful and simple alphabet called the “Morse” or “dot and dash alphabet,” without which the glorious discovery of Sturgeon would for telegraphic purposes have been almost valueless.

Having illustrated his lecture by numerous experiments, upon various batteries and instruments, the lecturer sent messages from one end of the room to the other. The click, click of the Morse instrument was followed eagerly by his numerous audience and, with the aid of an amateur operator at the further end of the lecture room, the message, “The Bund stands still;” and the appropriate reply “so does Ningpo” were rapped out a manner so deliberate and distinct that by means of a diagram of Morse’s Alphabet, every one present was able to read the message and its answer for himself. By the aid of such practical illustrations the Lecturer secured the attention of his audience, and by the lucid manner in which he explained the theory of the Telegraph, its construction and working, he conveyed to the minds of all, a clearer notion of the agency so familiar, and yet so little understood, which has made such rapid strides and advances in the West during the past 20 years. Nor were the illustrations confined to physical experiments. With a facility that was most agreeable and interesting to his audience, the Lecturer passed from “grave to gay; from lively to severe,” and by means of apt, and often extremely humorous comparisons, he at one and the same time brought home to each, a clear comprehension of his subject and a thorough enjoyment of a racy description.

The lecture was for the most part delivered extempore, with a fluency that never faltered, and a faculty of exciting interest that never for a moment failed. Even the dry facts and statistics were rendered in a way that fixed them in the memory by giving them an interest, and spice of humour, not usually associated with figures; and the frequent bursts of laughter and applause which interrupted the lecturer, were sufficient proofs of the attention and enjoyment of the audience.

The Rev. Mr. LEGENBERGER in proposing a vote of thanks, remarked that the acknowledgements of the community and the members of the Ningpo Book Club were due to the lecturer for having overcome the prejudices of the people and, in spite of the Fung Shui, introduced the Electric Telegraph into Ningpo.

Mr. SLOMAN seconded the proposal for a vote of thanks which would, he was confident, be carried without a dissentient.

The CHAIRMAN then conveyed to the lecturer the thanks of the audience and, in a few appropriate words, expressed the gratification which all had experienced in receiving so much lucid information, combined with so much that was useful and amusing.

Mr. KNOWLTON remarked, that heartily as he concurred in the wish expressed by all present that electricity might soon be facilitating the progress of commerce in China, he thought it would greatly advance that object so dear to all, if Mr. Bishop would kindly consent to give a repetition of his lecture to the Chinese of Ningpo; he himself would be only too happy to give his services as interpreter. His proposal was warmly welcomed, and let us hope that if Mr. Bishop’s lecture takes place, it will help to overcome the scruples of the Chinese as to this valuable agent.

NEWS OF THE WEEK.

THE Hongkong Daily Press publishes several Reuters’ Telegrams of a later date than those given on the arrival of the last English Mail, but they are of no interest with the exception of the following, and the fact that a letter has been addressed by the Harvard Crew to the London Rowing Club, thanking them for the kindness experienced during their stay in London.

Bombay October 6th. Doctor Kirk of Zanzibar has received a letter from Doctor Livingstone, dated Lake Bangivelo, 8th July, 1868, in which Livingstone says that he has found what he believes to be the source

of the Nile, between 10 and 12 degrees South. Doctor Livingstone was in good health and spirits. Madrid, Sept. 24th. The *Gazette* of this evening publishes a decree ordering a reform of the Code of Commercial Regulations. General Picard has been arrested. The Government intends to compel the Bishops to take the oath of fidelity to the Constitution. Berne, Sept. 24th. Wurtemberg has now signified its adhesion to the Saint Gothard Railway project, and the Swiss Federal Council has consequently invited the Government of that country to send a representative to the International Conference, which is being held here on the subject.

The M. I. steamer *Phase*, which arrived yesterday forenoon, brings the following later telegrams.

London, 4th October.—Lord Napier of Magdala has been appointed to succeed Sir William Mansfield as Commander-in-Chief of the Bengal Army, from 1870. At Manchester to-day Mr Justice Kelly has been seriously disabled, having been thrown from a cab, and having his skull fractured. Republican disturbances in Spain still continue. It is reported in latest telegrams that sixteen thousand Cuban Filibusters have escaped to [from ?] American ports. 6th.—The Republican insurrection in Spain is spreading. Government has submitted a bill to the Cortes for the purpose of suspending the guarantee of personal liberty throughout Spain. The Solicitor General has been appointed Lord Advocate (sic.). The Reverend Mr. Mackinnon has been appointed Bishop of Oxford in succession to Doctor Wilberforce, who has been translated to Winchester. The Empress Eugenie has arrived at Venice where she has been visited by the King of Italy. 10th.—A great Fenian Demonstration has taken place in London at the funeral of Mr. Martin who had been killed accidentally, not Colonel Kelly as supposed. A monster Amnesty demonstration has taken place in Dublin. Latest telegrams state that the Republicans in Catalonia, Arragon and Andalusia have been vanquished after severe fighting. Saragossa and Madrid are perfectly quiet. The Emperor Napoleon has accepted the invitation of the Czar to visit Russia next year. 12th.—The City of Valencia has surrendered unconditionally after a bombardment of three hours. The case against Mr. Kirby and the other Directors of the Albert Life Assurance Company for conspiracy has been dismissed, in consequence of the absence of the Prosecutor. The Dean of Ely has been appointed Bishop of Carlisle. Umballa, 12th October.—The *Mofussilite* confidently states that there will be a Camp at Meean Meer near Lahore, in honor of the Duke of Edinburgh, during the first week in February. The following Regiments and Batteries will be present:—Five Batteries of Artillery, Two European Regiments of Cavalry, Two Native Regiments of Cavalry, Three European Regiments of Infantry, Two Native Regiments of Infantry. The *Mofussilite* announces on what it considers excellent authority that an engagement has taken place between the Russians and troops of the Kushbegis on the Frontier at Kashgar. The Kushbegis were worsted. The road between Kashgar and the Russian territory is closed.

The following commercial telegram was received last evening by the Chamber of Commerce.—London 2nd November, 1869.—Cotton, 12½d.; Grey Shirtings, 11/; Tea, Unchanged; Green very dull; Silk, Very quiet; Red Peacocks, 22/9, No. 3s 27/6; Dollars, 59½; American Tea, Quiet; American Exchange, 86/8; American Gold, 128; Discount, 2½%.

The most important event since our last is the announcement of the alterations in the Treaty of Tientsin which have been agreed on by between the Chinese Government and H. B. M. Minister. The amended treaty will not take effect until agreed to by the other Powers having treaties with China. A deputation from the Chamber of Commerce waited on H. E. Sir Rutherford Alcock early in the week and learned the particulars, of which the following, reprinted from the *N. C. Daily News*, is a correct summary.

"We learn, then, that two new ports, Wu-hu in the province of Anhwei, on the south bank of the Yang-tze, and Wanchow in the province of Che-keang, about 150 miles south of Ningpo, are to be opened to foreign trade—both likely to be important

as outlets for tea and inlets for foreign manufactures; the working of coal mine with foreign machinery is to be allowed, at two ports, south of Tientsin, [not yet determined on.] The Chinese also promise to improve the roads giving access to them, without which no development would be of much use. They also agree to reduce the tax on native coal, from the present prohibitive rate to one which will permit it to take a fair place in the market, while the duty on foreign coal is to be taken off altogether. Duties are also to be reduced, on all articles as desired by merchants in their memorials, except Tea Dust; Dock stores and all articles of personal consumption are to be admitted free of import duty; and Bonded Warehouses are to be permitted, where desired. The just and important concession is made, that drawbacks shall be repaid in cash within the current quarter; and the term within which drawbacks generally may be recovered, is extended from one to three years. Foreign goods are to be exempt from transit dues without regard to ownership, transit passes being required only in the nine provinces which do not possess treaty ports. But the 2½ per cent now charged under Art. XXVIII of the old treaty, is to be added to the 5 per cent import duty and payment of 7½ per cent to be thus made compulsory, on all foreign imports, whether intended for transmission to the interior or not. Should any illegal squeezes be subsequently levied, the remedy will be an appeal to the nearest Maritime Customs office, which will refund the amount so exacted, on production of satisfactory proof. The abolition of the transit pass system involves, also, a modification of the arrangements in regard to produce. This is in future to be taxed at local rates while in transit in native hands; the rates and amounts are to be inserted in a memorandum which will be produced at the port of shipment, in the event of sale to a foreigner, when any payment in excess of 2½ per cent will be refunded by the Maritime Customs; but any deficiency below this amount will have to be made good. The export duty on Silk, on the other hand, is to be raised 1 1/7 per cent; and the import duty on opium from Tls. 30 to Tls. 50 per chest. Inland navigation by foreign-owned vessels other than steamers, and temporary residence and storage of goods by foreigners, in the interior, will be permitted. The very desirable stipulation is also made, that the manner in which Tonnage Dues have been appropriated, shall be published in the Customs Returns. Another important measure to which the Chinese have given their assent, is to the formation of a commercial code which, while embodying the commercial law of Western nations, would supersede the multiplicity of Courts to which reference is now necessary, according to the nationality of the disputants."

H. E. Sir Rutherford Alcock arrived on Saturday last in H. M. G. B. *Dove* and left on Wednesday morning for the River ports. He will take occasion to enquire into the recent outrage on the missionaries at Ganking. Sir Rutherford was accompanied from Peking by Mr. Connolly, Secretary of Legation and two student interpreters. Mr. Wade, H. M. Charge d'affaires has left for Peking.

Comte Mejean, who has been appointed H. I. M's. Consul at this port, arrived in the Mail steamer, yesterday.

We publish on another page, and commend to the attention of our lay readers, the admirable charge delivered by the Chief Judge to the Jury Panel at Yokohama.

Much interest has been created both amongst Chinese and foreigners by the Taoutai's proclamation against brothels in the English settlement. Foreign house owners of course naturally object to any interference by the native authorities, while others say that according to the Land Regulations such houses must be licensed by the Taoutai. It seems, however, perfectly clear that if driven from the North of the Yang-king-pang the inmates of these houses will resort to French Concession on the South.

Another question, that of whether hospitals or private houses are better suited for the treatment of diseases and surgical cases, has formed a fertile sub-

ject for discussion in the papers, but it has ended, if indeed we have yet heard the last of it, by leaving us as wise as at first.

We publish in this number the minutes of the monthly meeting of the Municipal Council of Shanghai. The members of the Council have purchased for the sum of £5,000, for the purpose of erecting offices for the use of the Council; the vacant plot of ground next the Central police station. The Councillors generously took the responsibility upon themselves, but the purchase seems to have met with very general satisfaction.

The Mixed Court Magistrate Chên, who has accompanied Sir R. Alcock to assist in the enquiry into the Ganking outrage, has been temporarily replaced by Chang, a functionary whose sentences are so extremely mild that they have given rise to much dissatisfaction. Several daring robberies of both foreign and native premises have recently taken place, and such lenient sentences are not likely to assist in suppressing them.

The new Gunboat, No. 3, recently launched at the Kiangnan Arsenal, made a trial trip last Saturday, and gave every satisfaction.

A serious fire took place on Wednesday night at Tunkado, near the Cathedral. It originated in a wood yard and has resulted in the destruction of 120 houses. Although the distance from the settlement was considerable all the engines were speedily on the spot. Had it not been for their efforts the destruction must have been immense, as the place is surrounded by wood and godowns in which oil and other combustible materials are stored.

The *Courier* learns that the British barque *Star of the East*, which left this on the 8th September for Passietto, was wrecked on the coast of Corea, on the 20th September, no lives lost. The Corean authorities are said to have refused assistance or hospitality, and the officers and crew appear to have found their way to Passietto in the ship's boats.

The British ship *Benvenue*, which left Shanghai a few days ago for Hongkong, has been dismasted and put into Foochow.

The Customs have erected a signal tower on their newly acquired property at Pootung, and we understand that another will soon be erected between Shanghai and the Kintoan beacon, so that soon after a vessel passes the lightship her arrival can be made known in Shanghai. This will serve most of the purposes for which the erection of a telegraph was desired.

The following passengers have arrived in Shanghai during the week: per *Costa Rica*, from Yokohama, Mr. and Mrs. F. B. Forbes, Mr. and Mrs. Wright, Mr. and Mrs. Hofflich, Messrs. G. Lea, P. Coom, C. Remedios, J. D. Annotoyon and M. Schen; from Hiogo, E. A. Reynolds, R. B. Harvey, T. Haman, M. Bishop, M. McLaratey, J. Hastings, and Sentis; from Nagasaki, F. Ladrach, P. Quigley, W. Lancaster and T. Which; per *Aden*, from Southampton, Capt. Bake, Mrs. Campbell, nurse and child, Messrs. Dolan, Soedichen and Telonskin; from Suez, Messrs. Makesiczak, Schokine and Krey; from Hongkong, Messrs. W. S. Rosenthal, and T. A. Tonks.; per *M. I. S. Phase* from Hongkong, Le Cte. Mejean, French Consul, 1 maid servant and 1 servant, Messrs. Goldenstein, Fouscra and Ed. Bonneville, and Rev. Pere Niaux.

HANKOW.—A correspondent of the *Daily News* writes, "The settlement has again taken on the appearance of dry land; and traps, ponies and pedestrians now reign where boats of all sizes, shapes and descriptions so long held usurped sovereignty. The most serious and lasting effect of the flood will be the ruin it has brought on the peasantry in the valley of

the Yangtze. Their third crop has been utterly lost, and the interruption of communication with the interior by means of the canals will, together with the prevailing poverty, render the winter a dull time for merchants. Already there are many signs and symptoms of a falling foreign population."

CHEFOO.—A project is on foot for building a family hotel at this port. It proposed to expend Tls. 9,000, to be raised by shares of Tls. 250 each. We wish the project success, but from private information believe it is not encouraged by the influential members of the Chefoo community.

TIENTSIN.—H. E. Sir Rutherford Alcock, while on his route from Peking to Shanghai paid a visit to the arsenal at that port, and was officially received by Chinghow, the Superintendent of the three Northern ports.

PEKING.—A correspondent of the *Daily News* avers that a further large cession of territory to Russia, has been lately made by China.

FOOCHOW.—The *Hongkong Daily Press* says:—

Advices from Foochow to the 30th ultimo, state that large settlements by one or two buyers have kept the market firm. 12,000 chests have arrived since the 27th October, but the bulk of them is of very inferior quality. In Oolongs the last line of fine tea in stock has been settled at Tls. 28.5.0. Most of the settlements during the week have been "fair cargo" at full rates.

AMOY.—A correspondent of the *Daily Press* mentions that Mr. Espejo y Chaparro, Vice-Consul for Spain at that port, had organised a company of hunters for the purpose of hunting after the ferocious tigers which generally infest, about the beginning of Autumn, the mountains of Chin-po, and commit immense depredations amongst the poor laborers inhabiting the villages situated near the vicinity of said mountains, the greater number of whom are Catholics, under the control of the Spanish Missionaries, who have been residing in these remote countries nearly two centuries. The first hunt will take place about the commencement of November. No doubt all will join in wishing the enterprising hunter, Mr. Espejo y Chaparro, all success in his daring and perilous sport.

FORMOSA.—The *Daily Press* has the following:—

Respecting the absurd rumours which some time ago got abroad concerning Messrs Pye and Pickering having been attacked in Formosa, it appears that the real fact of the matter was that those gentlemen travelled overland from Takow to Tamsui and back, a distance of 160 to 200 miles each way, without being insulted in the slightest degree.

HONGKONG.—The *United Service* extends our dates to the 9th inst. There is no news of interest. A translation of the Address presented to H. R. H. the Duke of Edinburgh by the Chinese community is given. Another murder has taken place of which the *China Mail* give the following particulars:—

A murder of that mysterious and unsatisfactory (because unaccounted for) kind so common now-a-days, was committed early this morning on the road near the old Chinese Cemetery, upon a Chinaman employed at Aberdeen. The facts appear to be that three Chinese employed on board a steamer lying at Aberdeen Dock started last evening to Hongkong, and stayed there all night. Deceased is supposed to have commenced his journey homeward about four o'clock in the morning, in order probably to conceal the fact that he had been absent without leave; and the next that is heard of him after his departure is the alleged fact that the other two men stumbled upon him about 7 a.m., in a wounded state. They say that they rushed back to the Sailor's Home for a chair, which they were some time in finding, and that, on returning to the spot, the wounded man had disappeared. The truth would seem to be that the wounded man crawled back for some distance, was discovered by a Sikh constable and taken to the Station, where he died from the effects of an incised wound in the side. It is said that the deceased stated that he was attacked by three men, one of whom stabbed him in the side with a knife; but he could not have identified the men, as they did not say a word, and it was very dark. What could have been the motive for the deliberate use of a knife, as suggested, there is nothing given to throw a single ray of light upon. An inquest was to be commenced

this afternoon, when it is possible further light may be thrown upon it. Deceased's companions are detained.

A Canton correspondent of the same paper writes:—

The following item of news was received from a reliable native living in Tung Kun city. On the 29th of the 9th month (Oct. 4) during a theatrical performance at the village of Tai Fan, in the Tung Kun district, a fire broke out in the bamboo structure in which the performance was held, and it was consumed, together with the boats belonging to the theatrical company. Over one thousand persons were burned to death, and out of one family of thirteen persons only one female escaped. The cause of the fire was not stated.

The *China Mail* has the following, but it will be seen does not vouch for its truth.

A story is about—with what foundation in fact is not certain—in connection with Admiral Keppel, which illustrates the feeling cherished for the gallant old "Sea King," and the price which has often to be paid for great distinction. He was moving round on the evening before his departure to see the illuminations, when a party composed of loyal Britishers and others recognised the Admiral. "Let's give the old chap three cheers," was passed round in a whisper, and in a moment a burst of British cheers rang through the air and on the ear of the astonished Sir Harry. The Admiral stood up in his chair, and waved his hat at the group in response to the hearty expression of feeling, and finished by pitching his hat right in the centre of the cluster of cheerers. The struggle for the "tile" was terrific, and it is said that some dozen bold spirits walked home each with a piece of Sir Harry Keppel's hat, which they mean to fix up in lockets to be handed down as heirlooms in their devoted households (!)

NAGASAKI.—By the *Sakura* we have papers to the 11th inst. Complaints are made of the irregular receipt and despatch of the mails for Europe owing to the P. & O. Company not having carried out their promise of running steamers via the Inland Sea. A fire broke out on the 8th inst., at the old Custom House, said to be the work of incendiaries, but it was soon got under. The formation of a fire brigade is advocated. The *Shipping List* contains the following with regard to the movements of the U. S. Squadron.

"The U. S. Frigate *Delaware* arrived in harbour on the 7th instant with Admiral Rowan on board—since her last visit to this port she has changed her name. We understand that this will be the last time the *Delaware* will visit this port, and she will probably leave for Hongkong in a day or two on her way home. Admiral John Rogers, having been appointed the new Commander in Chief of the Asiatic Squadron, comes out in the U. S. S. *Colorado* as the Flag Ship. The U. S. S. *Monocacy*, Captain McCrea, arrived from Hiogo on the 9th instant, but we have not yet heard what her movements are to be—probably she will go to China."

HIOGO.—By the *Mars* we have Hiogo papers to the 6th instant, but they contain nothing of interest. The Races were to come off on the 12th instant. Some Chinese passengers created a disturbance on board the steamer *Sakura*, which was not quelled until assistance was procured from H. M. S. *Ocean*. Prince Toza has started a passenger steamer between two ports in the Inland Sea.

YOKOHAMA.—By the *Costa Rica*, we have papers to the 6th inst. The following are the only items of news of any interest.

"Political affairs are tranquilly gliding in the old groove; the government preparing for the approaching meeting of Parliament."

Stotsbashi, the late Tycoon, who has already been spoken of under about half a dozen different names or titles and is now called Keiki, has, along with Prince Aidzu, been pardoned by the Mikado.

The Austrian Embassy was about to leave for Guatemala, and will not call at the Sandwich Islands as at first announced.

Belgium has appointed a Consul in Yedo, in the person of Mr. Louis Strauss, a gentleman well known in Europe as the author of works on political economy. With him, Mr. Emile Moulron has come as Chancellor. Mr. Gildemeister still continues to hold office as Vice Consul in Yokohama. The United States have also sent a Consul to Yedo, Mr. Shepard, who came by the same steamer. The Belgian

Consul is directly charged with the promotion of the interests of commerce, and will establish there, and at other treaty ports, a branch and sub-branches of the Belgian Comptoir General for banking purposes and the introduction of Belgian manufactures. Notwithstanding the refusal of the Japanese authorities, to sanction the appointment of any more "Trading Consuls." A circular has been issued in Europe, the *Japan Times* says, in which mercantile houses are invited by the Consul of a small power to entrust their goods to him to sell on commission as, the circular says, "his official position will place him in, so to speak, constant communication with the Princes or Diamios who have the control of foreign trade in certain provinces."

The native authorities have at last licensed the steamer *City of Yedo* to ply between Yokohama and the "Capital of Tycoon" and to carry Japanese passengers. A new steamer and second line of coaches are about to be started. This looks as if a railway would soon follow.

The *Phase* brings news that the *Inarime*, Foochow to London, was lost on East London Reef on 4th October (Long. 112 20. Lat. 8.40). Six men of the crew were picked up at sea and taken to Saigon by the North-German barque *Bonito*.—*Evening Courier*.

COMMERCIAL.

SHANGHAI, Friday Evening, 19th November, 1869.

IMPORTS.—We have again had a dull and dragging market for the week. It is now very certain that there will not be any demand for the North this autumn, and as there is no speculative demand and the Chinese will only buy for their real requirements, which cannot be very large during the next few months, we may expect a low range of prices for some time to come.—Quotations are about the same as given in our last, say Grey Shirtings 7lbs. Tls. 1.9.6 a 2.0.0, 8½lbs. Tls. 2.1.6 a 2.2.2; T-Cloths 6lbs. Tls. 1.4.5 a 1.6.5, 7lbs. Tls. 1.6.8 a 1.8.5, 8lbs. Tls. 2.0.0 a 2.0.5.

Woolens.—A few re-sales have been made by Silkmen, at 5.4.5 per yard for C.P.H. assorted Sp. Stripes, and Tls. 6.1.0 for C.P.H. Scarlet Long Ells; very little else has been done.

Metals.—Nail rod iron has been enquired for, and prices are somewhat higher, say Tls. 2.0.0 a 2.2.5 per picul. Lead also is in better request and may be quoted Tls. 6.1.5 a 6.3.0 per picul.

TEA.—**Black:**—A fair amount of business has been transacted at prices showing little change, the great bulk of purchases being very nasty Tea. The quantity of low rubbish going forward this season is much in excess of the shipments of any previous year, and this may enable the Home trade to buy it at a price consistent with its actual value if not with its Shanghai cost. The settlements of the past week are 11,000 chests, the stock being about 25,000 chests.

Green:—A rather large business continues to be transacted for both England and America, and there will be no scarcity of this description of Tea in either country. Prices of parcels of good character are unchanged, but low medium undesirable chops are being offered at a fall of more than one tael per picul without inducing business in them. The stock on offer is large, viz. 90,000 chests.

SILK.—The market for silk has been very quiet during the week, transactions do not exceed 200 bales, and with so small a business it is difficult to say how prices rule. A reduction of about ten tael would probably be accepted on most descriptions of Tsatlees (whilst Tayssams are firmly held), but should any movement take place amongst buyers, the reduction would very rapidly disappear, as our Stock remains at only 3,000 bales and rates up country rule above those current here.

OPUM.—The market for Malwa is again rather weak, to-day's rate being Tls. 508 to Tls. 510. Owing to the low rate ruling for Patna at Hongkong and Calcutta the price of this drug has again dropped; to-day's rate for New Patna is Tls. 405 at which price there are sellers. The French Mail steamer, arrived to-day, brings 135 chests Patna, 25 Benares, 30 Malwa and 6½ Persian.

LATEST QUOTATIONS.

SHANGHAI, November 20th, 1869.

EXCHANGE:—

ON LONDON.—Bank 6m/s. 5s. 11½d.	per Tael.
Credits, 5m/s. 6s. 11½d.	"
Bills with doct., 6m/s. 6s.	"
ON PARIS.—Credits, 6m/s., Fcs. 7.52½-55	"
Documentary. Do. Fcs. 7.55	"
ON CALCUTTA.—Bank 3 days'	
sight, Rs. 301 per 100 Taels.	
ON BOMBAY.—Bank 3 days'	
sight, Rs. 300 per 100 Taels.	
ON HONGKONG.—Bank 3 d/s. 24-½	disct.
Private, 15 d/s. 25	"

BULLION:—

GOLD BARS, Pekin.—Tls. 165.9 per Tls. 10 weight.
MEXICAN DOLLARS.—Taels 75.80
CAROLUS Do. Taels 80
COPPER CASH.—1,500 per Tael.

FREIGHTS:—

To LONDON.—Tea £2.

	T.m.c.	T.m.c.
GREY SHIRTINGS—5½ Catty, ...	1.9.6 a	2.0.1
„ for arrival		
„ 6½ Catty. on spot	2.1.8 a	2.2.2
„ for arrival		
WHITE Do. 64 Reed, ...	2.3.5 a	2.4.0
T-CLOTHS—36 in, ...	1.6.8 a	1.8.5
LONG ELLS—Scarlet, ...	6.1.0 a	6.2.5
„ Assorted, ...	6.2.0 a	6.3.5
SPANISH STRIPES—Elephant, ...	0.5.7 a	0.6.0
„ Tiger, ...		
„ Britannia, ...		
CAMLETS—SS	12.0.0 a	12.5.0
„ SSS	9.5.0 a	10.5.0
IRON—Nail Rod, ...	2.1.0 a	2.2.0
LEAD Common	5.2.5	
LEAD L. B. to arrive	5.4.0	
OPIMUM—Malwa, Old	505	
„ Patna New	560	
„ „ Old	420	
„ Benares, ...		

SHANGHAI SHIPPING.

ARRIVALS.—November 13th, Adventure, H. B. M. S. Tientsin. 14th, Dove, H. B. M. G. B., Tientsin; Ellon Castle, Newchwang. 15th, Sakura, str., Nagasaki. 16th, Mars, str., Nagasaki. 17th, West Indian, Foochow; Costa

Rica, str., Yokohama; United Service, str., Hongkong; Christina Maria, Amoy. 18th, Claro Babuyan, Newchwang; Coulmakyle, Newcastle N. S. W. 19th, Gustav Adolph, Swatow; Phase, str., Hongkong; Nanzing, str., Tientsin.

DEPARTURES.—November 13th, Simoda, Foochow; Homer, Foochow. 14th, China, str., Hongkong and Canton; Bertha, str., Foochow; Venus, str., Hongkong; St. Mary, Amoy; Paulista, Chefoo; Lightfoot, Nagasaki. 16th, Kiu Shu, str., Chefoo, &c.; Anita, Hongkong; Prosperity, Amoy. 17th, Ocean Chief, London; Yvonne, Swatow. 18th, Chih-li, str., Tientsin via Chefoo; Maggie, Yokohama; Adventure, H. B. M. S., Kiukiang; Esbern Snare, Nagasaki; Vondel, Keelung. 20th, Costa Rica, str., Nagasaki, &c.

METEOROLOGICAL TABLE—WOOSUNG.

Date.	Time	Wter	Wter	Wind	F	X	Q	H	I	Bar	Ther.
		H L	on								
		Wter	Bar.								
Novr.											
13 HW	A.M.	7.58	18.05	6.50	N by E	3	4	1	...	m	30.39 55
13 LW	P.M.	3.22	16.01	...	N by E	3	4	1	...	c	30.41 59
14 HW	A.M.	9.52	18.09	5.18	NNW	2	3	1	...	h	30.47 54
14 LW	P.M.	5.04	14.07	...	NNE	3	4	4	...	h	30.43 54
15 LW	A.M.	6.17	13.06	5.14	NW by W	1	2	2	...	h	30.40 48
15 HW	A.M.	10.37	19.08	...	NNE	2	2	2	...	c	30.41 56
16 LW	A.M.	6.48	13.01	5.06	ENE	1	3	7	...	m	30.33 52
16 HW	A.M.	11.04	20.08	...	E by N	3	3	7	...	h	30.33 60
17 LW	A.M.	7.24	13.00	4.58	Z	0	2	8	...	f	30.28 56
17 HW	A.M.	11.36	21.02	...	East	1	2	8	...	h	30.28 62
18 LW	A.M.	7.52	12.09	4.52	SE by S	2	4	15	...	c	30.21 58
18 HW	P.M.	0.04	21.08	...	S by E	4	5	15	...	o	30.17 65
19 LW	A.M.	8.03	12.08	5.28	NW by N	7	8	29	3 f		30.41 51
19 HW	P.M.	0.37	23.11	...	NW by N	8	8	29	...	c	30.40 52

Explanation.

F. Force (1 to 12—estimated); X. Extreme force; Q. quarter whence extreme force (N. b. E. = 1 to 32 = N.); H. Hours of Rain; I. Initials; b. blue sky; c. clouds (detached); f. fog; h. hail; l. lightning; m. misty (hazy); o. overcast (dull); r. rain; s. snow; t. thunder; Z. calm.

PUBLIC AUCTION.

THE undersigned has received instructions to sell by Public Auction, within his office No. 3 Thorne's Building, on Friday the 26th current, at 2 p.m.

The following properties belonging to the Estate of Messrs. DENT & Co., situated North and East of Jane Terrace and forming part of Loss 149, 159 and 164 in the Municipal Plan of the American Settlement.

LOT	TITLE DEED
No. 687—5m. 3f. 7l. Sh.	No. 680 with Buildings thereon.
„ 688—4m. 7f. 3l. 6h.	„ 681 do.
„ 691—3m. 0f. 7l. 9h.	„ 684
„ 692—4m. 5f. 0l. 4h.	„ 686
„ 693—4m. 5f. 6l. 2h.	„ 686
„ 694—4m. 3f. 2l. 5h.	„ 687
„ 695—7m. 6f. 2l. 6h.	„ 688 with Buildings thereon.
„ 696—4m. 4f. 6l. 4h.	„ 689
„ 697—4m. 5f. 0l. 4h.	„ 690
„ 698—6m. 0f. 0l. 0h.	„ 691

Also at same sale—without reserve. a Lot of Land No. 437, containing per Title Deed No. 436, 15m. 2f., situated on the North Bank of the Wangpoo, next to Gibb's wharf.

For further particulars apply to

J. P. BISSET,
Land Agent &c.

Shanghai, November 12th, 1869.

PUBLIC AUCTION.

That desirable property belonging to Messrs. COLLYER and LAMBERT on the Pootung Point.

THE undersigned have received instructions from A. G. LAMBERT, Esq. to sell by Public Auction, at Sales Room,

On WEDNESDAY, 1st December, 1869,

At half past two o'clock in the afternoon,

All that part and parcel of Land, the property of Messrs. COLLYER and LAMBERT, situate on the Pootung Point, and measuring as per Title Deed, Twenty Four Mows more or less, with a part of the Buildings and Outhouses thereon.

Plans and full particulars can be ascertained, by applying to the Auctioneers.

WHEELOCK & Co.
Auctioneers.

Shanghai, 17th November, 1869.

JUST PUBLISHED.

MEMORIALS ON THE REVISION OF TREATY OF TIENTSIN, forwarded to the Governments of Great Britain and the United States by Private Residents in China. Reprinted from the *Supreme Court and Consular Gazette*. Price \$1.00.

S. C. & C. GAZETTE Office,
23 Kiangsee Road,
Shanghai, 24th April, 1869.

NOTICE.

MR. SILAS MEYER MOSES has been admitted a Partner in our Firm from 1st January, 1869.
DAVID SASSOON, SONS & Co.
Shanghai, 19th June, 1869.

NOTICE.

I HAVE this day established myself as a BILL and BULLION BROKER at this port.
W. E. D. BIGSBY.
Shanghai, 3rd July, 1869.

THE SHANGHAI NEWS-LETTER,
ENLARGED to double its former size, now affords a better medium of intelligence from this quarter of the world. It is published for the transmission of all the current Mercantile, Political, and General News of China and Japan, by the Pacific Mail Steamer to America and Europe.

The NEWS-LETTER will contain a summary of all the news of the month,—a complete and reliable review of the market—leading articles upon subjects of general interest—arrivals and departures of shipping—movements of American men-of-war on the station, etc., etc.

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Shanghai, 9th October, 1869.

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